

5V

ORDINANCE NO. _____

AN ORDINANCE VACATING A THIRTY-FOOT (30') WIDE UTILITY EASEMENT LOCATED WITHIN A PORTION OF LOT 2, BLOCK 2, PARK WEST UNIT ONE, REPLAT "B" AND A PORTION OF LOT 4, BLOCK 2, PARK WEST UNIT ONE REPLAT "C", CITY OF EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the City Plan Commission has recommended a vacation of a thirty-foot (30') wide utility easement located within a portion of Lot 2, Block 2, Park West Unit One, Replat "B" and a portion of Lot 4, Block 2, Park West Unit One Replat "C", City of El Paso, 'El Paso County, Texas, and the City Council finds that said easement is not needed for public use and should be vacated as recommended; and

WHEREAS, the City of El Paso acknowledges an offer of value for the easement equivalent to the easements value pursuant to City ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That, in consideration of the receipt by the City of TWENTY-FIVE AND NO/100THS DOLLARS (\$25.00) and other good and valuable consideration, the sufficiency of which is acknowledged, a ten-foot (10') utility easement located within a portion of Lot 2, Block 2, Park West Unit One, Replat "B" and a portion of Lot 4, Block 2, Park West Unit One Replat "C", City of El Paso, 'El Paso County, Texas, as further described in the attached metes and bounds description, identified as Exhibit "A" and made a part hereof by reference, be and is hereby vacated, closed and abandoned.

In addition, the Mayor is authorized to sign an instrument quitclaiming all of the City's right, title and interest in and to such vacated easement to **EP GMK II, L.P.**

PASSED AND APPROVED this 3rd of August, 2004.

THE CITY OF EL PASO

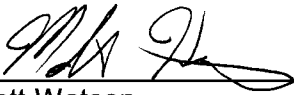
Joe Wardy
Mayor

Document #: 2296
Document Name: PLANNING/5/ORD/VACATIONEV04001
Document Author: MWAT

ATTEST:

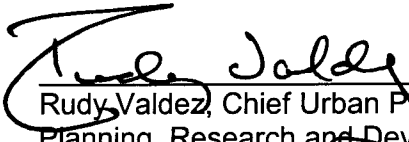
Richarda Duffy Momsen

APPROVED AS TO FORM:



Matt Watson
Assistant City Attorney

APPROVED AS TO CONTENT:



Rudy Valdez, Chief Urban Planner
Planning, Research and Development
Department

Being a portion of Lot 2, Block 2,
Park West Unit One Replat "B" and
A portion of Lot 4, Block 2, Park
West Unit One Replat "C"
City of El Paso, El Paso County, Texas
Prepared for: Mimco Inc.
April 7, 2004

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Lot 2, Block 2, Park West Unit One Replat "B" and a portion of Lot 4, Block 2, Park West Unit One Replat "C" City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

THE "TRUE POINT OF BEGINNING" being a point for the northeasterly corner of lot 4, block 2, Park West Unit One Replat "C" said point also lying on the southerly right of way line of Sunland Park Drive

Thence along the easterly boundary line of said lot 4, block 2, South $44^{\circ}10'25''$ East a distance of 40.00 feet to a point;

Thence leaving said boundary line South $45^{\circ}49'35''$ West a distance of 30.00 feet to a point on the westerly boundary line of lot 2, block 2, Park West Unit One Replat "B";

Thence along said boundary line North $44^{\circ}10'25''$ West a distance of 19.29 feet to a point of curve;

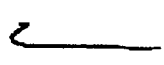
Thence 31.70 feet along the arc of a curve to the left whose radius is 20.00 feet whose interior angle is $90^{\circ}48'21''$ whose chord bears North $89^{\circ}34'35''$ West a distance of 28.48 feet to a point on the southerly right of way line of Sunland Park Drive;

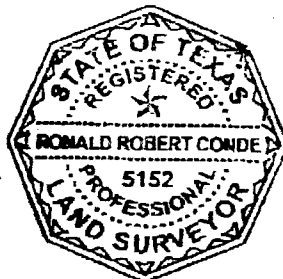
Thence along said right of way line North $45^{\circ}01'14''$ East a distance of 50.29 feet to the "TRUE POINT OF BEGINNING" and containing 1,283 square feet or 0.0294 acres of land more or less.

NOTE: Bearings based on plat of Park West Unit One Replat "C" recorded in volume 78, page 64, Plat records of El Paso County, Texas

Not a ground survey

A drawing of even date accompanies this description.

R. R. 
Ron R. Conde
R.P.L.S. No. 5152



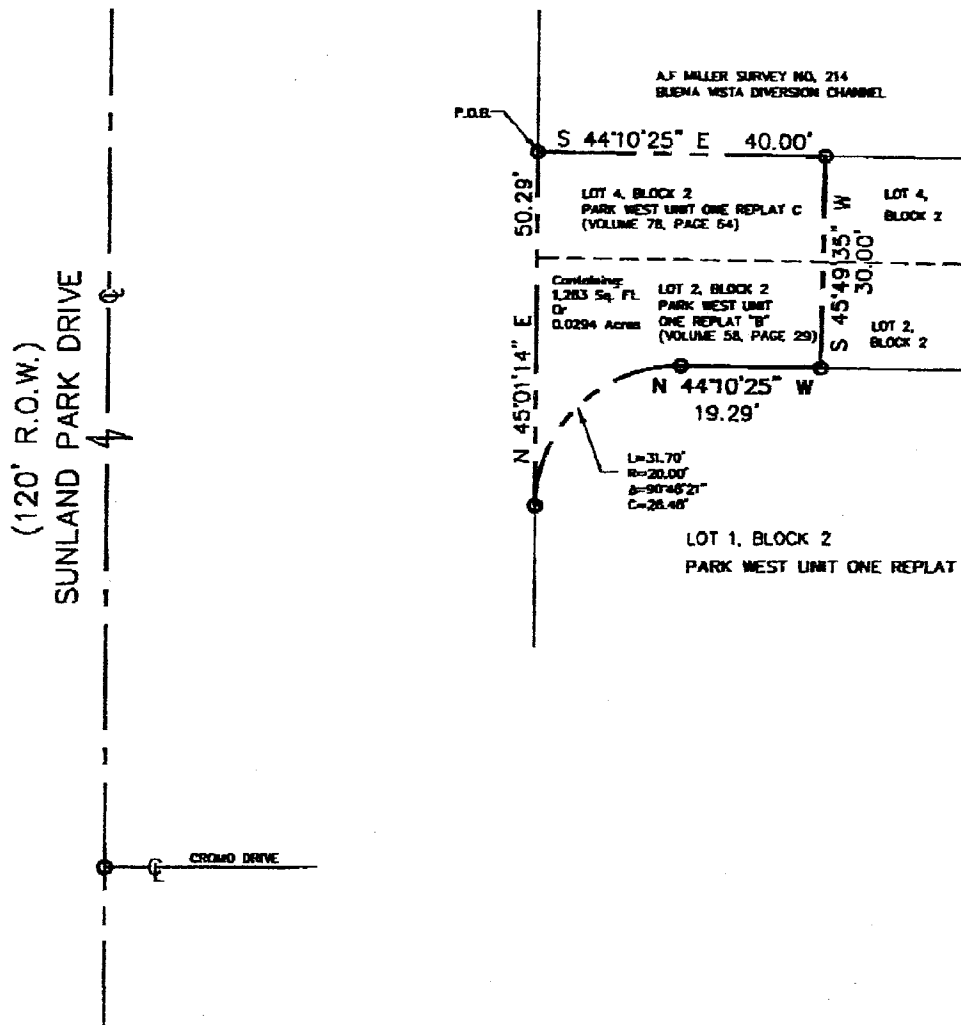
Job# 204-94 R.C.
LGL-04/20494.LGL

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79935 / (915) 592-0283

EXHIBIT "A1"

NOTE: A METES AND BOUNDS DESCRIPTION OF EVEN DATE
ACCOMPANIES THIS DRAWING.

SCALE: 1"=20'



JOB # 204-94 DATE: APRIL 7, 2004 OFFICE: J.J.

BEING A PORTION OF LOT 2, BLOCK 2, PARK WEST UNIT ONE
REPLAT "B", AND A PORTION OF LOT 4, BLOCK 2, PARK WEST
UNIT ONE REPLAT "C"
CITY OF EL PASO, EL PASO COUNTY, TEXAS

CONDE ENGINEERING INC.
1790 LEE TREVINO SUITE 400
EL PASO, TEXAS 79936

CADD FILE: C:\SU\2\20494

© COPYRIGHT 2004/CONDE INC.
ALL RIGHTS RESERVED

EXHIBIT "A2"

THE STATE OF TEXAS }
}
COUNTY OF EL PASO }

QUITCLAIM DEED

That, in consideration of the receipt by the **CITY OF EL PASO** of TWENTY-FIVE AND NO/100THS DOLLARS (\$25.00) and other good and valuable consideration, the sufficiency of which is acknowledged, THE CITY OF EL PASO has released and quitclaimed and by these presents does release and quitclaim unto EP GMK II, L.P., all its rights, title interest, claim and demand in and to the property which was vacated, closed and abandoned by Ordinance No. _____, passed and approved by the City Council of the City of El Paso and described as located within **A PORTION OF LOT 2, BLOCK 2, PARK WEST UNIT ONE, REPLAT "B" AND A PORTION OF LOT 4, BLOCK 2, PARK WEST UNIT ONE REPLAT "C", CITY OF EL PASO, 'EL PASO COUNTY, TEXAS**, which is more fully described in the attached metes and bounds description, identified as Exhibit "A" and made a part hereof by reference.

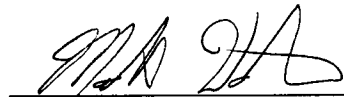
WITNESS the following signatures and seal this **3rd day of August, 2004**.

Joe Wardy
Mayor

ATTEST:

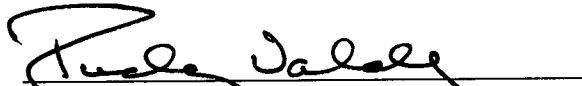
Richarda Momsen
City Clerk

APPROVED AS TO FORM:



Matt Watson
Assistant City Attorney

APPROVED AS TO CONTENT:



Rudy Valdez, Chief Urban Planner
Planning, Research and Development

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2004, by Joe Wardy, as Mayor of the CITY OF EL PASO.

Notary Public, State of Texas
Notary's Printed or Typed Name:

My Commission Expires:

AFTER FILING RETURN TO:

EP GMK II, L.P.
6500 Montana
El Paso, Texas 79925

Being a portion of Lot 2, Block 2,
Park West Unit One Replat "B" and
A portion of Lot 4, Block 2, Park
West Unit One Replat "C"
City of El Paso, El Paso County, Texas
Prepared for: Mimco Inc.
April 7, 2004

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Lot 2, Block 2, Park West Unit One Replat "B" and a portion of Lot 4, Block 2, Park West Unit One Replat "C" City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

THE "TRUE POINT OF BEGINNING" being a point for the northeasterly corner of lot 4, block 2, Park West Unit One Replat "C" said point also lying on the southerly right of way line of Sunland Park Drive

Thence along the easterly boundary line of said lot 4, block 2, South $44^{\circ}10'25''$ East a distance of 40.00 feet to a point;

Thence leaving said boundary line South $45^{\circ}49'35''$ West a distance of 30.00 feet to a point on the westerly boundary line of lot 2, block 2, Park West Unit One Replat "B";

Thence along said boundary line North $44^{\circ}10'25''$ West a distance of 19.29 feet to a point of curve;

Thence 31.70 feet along the arc of a curve to the left whose radius is 20.00 feet whose interior angle is $90^{\circ}48'21''$ whose chord bears North $89^{\circ}34'35''$ West a distance of 28.48 feet to a point on the southerly right of way line of Sunland Park Drive;

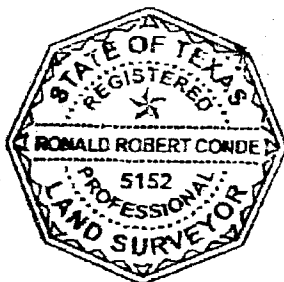
Thence along said right of way line North $45^{\circ}01'14''$ East a distance of 50.29 feet to the "TRUE POINT OF BEGINNING" and containing 1,283 square feet or 0.0294 acres of land more or less.

NOTE: Bearings based on plat of Park West Unit One Replat "C" recorded in volume 78, page 64, Plat records of El Paso County, Texas

Not a ground survey

A drawing of even date accompanies this description.

R. R. Conde
Ron R. Conde
R.P.L.S. No. 5152



Job# 204-94 R.C.
LGL-04\20494.LGL

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79935 / (915) 592-0283

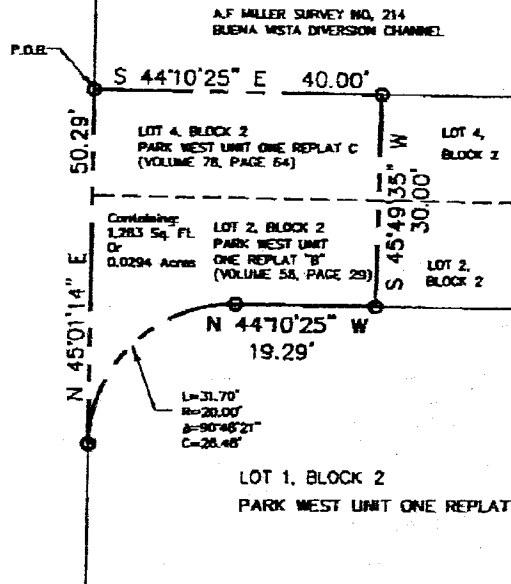
EXHIBIT "A"

NOTE: A METES AND BOUNDS DESCRIPTION OF EVERY DATE
ACCOMPANIES THIS DRAWING.

SCALE: 1"=20'

(120' R.O.W.)
SUNLAND PARK DRIVE

CROMO DRIVE



JOB # 204-94 DATE: APRIL 7, 2004 OFFICE: J.J.

BEING A PORTION OF LOT 2, BLOCK 2, PARK WEST UNIT ONE
REPLAT "B", AND A PORTION OF LOT 4, BLOCK 2, PARK WEST
UNIT ONE REPLAT "C"

CITY OF EL PASO, EL PASO COUNTY, TEXAS

CONDE ENGINEERING INC.
1790 LEE TREVINO SUITE 400
EL PASO, TEXAS 79936

CADD FILE: C:\SU\2\20494

EXHIBIT "A2"